

UNITED STATES DISTRICT COURT

for

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 10, 2024

SEAN F. MCAVOY, CLERK

U.S.A. vs. Adams, Nicholas Bryan Docket No. 0980 2:23CR00143-TOR-2

Petition for Action on Conditions of Pretrial Release

COMES NOW Erik Carlson, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Nicholas Bryan Adams, who was placed under pretrial release supervision by the Honorable U.S. Magistrate Judge James A. Goeke, sitting in the Court at Spokane, Washington, on the 8th day of February 2024 (ECF No. 24), and again on March 14, 2024 (ECF No. 32), under the following conditions:

Condition #12: Controlled Substances Prohibition: Defendant shall not use or possess any narcotic drug or other controlled substances as defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized to use medical marijuana under state law and regardless of whether marijuana is legal under state law.

Condition #13: Defendant shall submit to random controlled substance testing as required by the inpatient substance abuse treatment facility at any frequency by the facility. Pretrial Services may supplement any controlled substance testing and such supplement testing shall not exceed six (6) times per month. Defendant shall submit to any method of testing required by the inpatient substance abuse treatment facility and/or Pretrial Services for determining whether the Defendant is using prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substances screening or testing. Defendant shall not in any way obstruct or attempt to obstruct or tamper with the efficiency and accuracy of prohibited substance testing.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 23, 2024, the undersigned officer reviewed the conditions of pretrial release supervision with Mr. Adams. Mr. Adams acknowledged an understanding of the release conditions at that time.

Violation #2: Nicholas Bryan Adams is alleged to have violated the conditions of pretrial release supervision by admitting to ingesting methamphetamine and heroin on April 9, 2024.

On April 9, 2024, Mr. Adams reported to the U.S. Probation Office to submit to a random urinalysis. Initially, Mr. Adams attempted to use a device to circumvent a urinalysis. Upon discovering the device, Mr. Adams provided a valid urine specimen that tested presumptive positive for the presence of amphetamine, methamphetamine, cocaine, and morphine. The fentanyl test result was inconclusive. Mr. Adams denied ingesting cocaine or fentanyl. However, Mr. Adams admitted to ingesting heroin from April 5 through 6, 2024, and methamphetamine from April 5 through 8, 2024. Subsequently, Mr. Adams signed a substance abuse admission form acknowledging his use of methamphetamine and heroin.

The sample was sent out for laboratory confirmation. As of the submission of this petition, the results have yet to be received.

Violation #3: Nicholas Bryan Adams is alleged to have violated the conditions of pretrial release supervision by attempting to obstruct and tamper with the efficiency and accuracy of prohibited substance testing on April 9, 2024.

Re: Adams, Nicholas Bryan**April 10, 2024****Page 2**

On April 9, 2024, Mr. Adams reported to the U.S. Probation Office in Spokane, Washington, for the purpose of random drug testing. During the collection process, the undersigned officer observed Mr. Adams attempting to use a device known to circumvent drug testing. Upon being confronted, Mr. Adams removed a fake penis, with an attached tube and clear plastic bag, that was attached to his body with a velcro belt. This device was concealed under Mr. Adams' pants around his waist area. Additionally, the clear plastic bag contained a yellow liquid, in which Mr. Adams admitted was his own urine that he collected prior to using illegal controlled substances.

PRAYING THAT THE COURT WILL ISSUE A WARRANT AND INCORPORATE THE ATTACHED VIOLATIONS WITH THE VIOLATION PREVIOUSLY REPORTED TO THE COURT

I declare under the penalty of perjury
that the foregoing is true and correct.

Executed on: April 10, 2024

by s/Erik Carlson

Erik Carlson
U.S. Pretrial Services Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

4/10/24

Date